

Message Text

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11

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TAGS: PFOR, UN, SS, SP, MO

SUBJ: SPANISH SAHARA

1. IN SEPTEMBER 23 LETTER FROM MOROCCAN FONMIN TO SPANISH FONMIN, COPY OF WHICH DISTRIBUTED AS UNGA DOCUMENT AT REQUEST OF GOM, MOROCCO FORMALLY PRESENTS TO GOS PROPOSAL TO SUBMIT THE QUESTION OF "WESTERN SAHARA" JOINTLY TO ARBITRATION OF THE ICJ.

2. FULL TEXT FOLLOWS:

QUOTE: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

NOTE VERBALE DATED 23 SEPTEMBER 1974 FROM THE PERMANENT MISSION OF MOROCCO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

THE PERMANENT MISSION OF THE KINGDOM OF MOROCCO PRESENTS ITS COMPLIMENTS TO THE SECRETARY-GENERAL OF THE UNITED
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NATIONS AND HAS THE HONOUR TO COMMUNICATE TO HIM HEREWITH

THE TEXT OF A LETTER DATED MONDAY, 23 SEPTEMBER 1974 FROM HIS EXCELLENCY DR. AHMED LARAKI, MINISTER FOR FOREIGN AFFAIRS OF THE KINGDOM OF MOROCCO, ADDRESSED TO HIS EXCELLENCY MR. PEDRO CORTINA Y MAURI, MINISTER FOR FOREIGN AFFAIRS OF SPAIN, ON THE SUBJECT OF WESTERN SAHARA. IT ALSO REQUESTS THAT THE LETTER BE CIRCULATED AS AN OFFICIAL DOCUMENT OF THE GENERAL ASSEMBLY.

ANNEX

LETTER DATED 23 SEPTEMBER 1974 FROM THE MINISTER FOR FOREIGN AFFAIRS OF MOROCCO ADDRESSED TO THE MINISTER FOR FOREIGN AFFAIRS OF SPAIN

I HAVE THE HONOUR TO REQUEST YOUR TO BRING TO THE NOTICE OF THE SPANISH GOVERNMENT THE OFFICIAL PROPOSAL OF THE GOVERNMENT OF HIS MAJESTY THE KING TO SUBMIT, JOINTLY WITH THE SPANISH GOVERNMENT, THE QUESTION OF WESTERN SAHARA TO THE ARBITRATION OF THE INTERNATIONAL COURT OF JUSTICE.

IN THAT CONNEXION, IT IS MY DUTY TO RECALL THE TERMS OF THE STATEMENT MADE BY HIS MAJESTY KING HASSAN II DURING HIS PRESS CONFERENCE HELD ON 17 SEPTEMBER 1974, PART OF WHICH READS:

"...IF WE CAN RETAIN AND PRESERVE THIS HISPANO-MOROCCAN 'FRIENDSHIP' FOR THE REGION, FOR EUROPE, FOR AFRICA, AND FOR CIVILIZATION, WE WILL HAVE RENDERED SPAIN, MOROCCO AND ALL A GREAT SERVICE.

"AND THAT IS WHY, IN MY CONSTANT AND CONTINUING SEARCH, DETERMINED TO FIND A SOLUTION, A SOLUTION BY DIRECT NEGOTIATION, I WISH TODAY TO MAKE TO THE UNITED NATIONS AND TO SPAIN THE FOLLOWING PROPOSAL: YOU, THE SPAINSH GOVERNMENT, CLAIM THAT THE SAHARA WAS 'RES NULLIUS'. YOU CLAIM THAT IT WAS A TERRITORY OR PROPERTY LEFT UNINHERITED, YOU CLAIM THAT NO POWER AND NO ADMINISTRATION HAD BEEN ESTABLISHED OVER THE SAHARA; MOROCCO CLAIMS THE CONTRARY. LET US THEN REQUEST THE ARBITRATION OF THE INTERNATIONAL COURT OF JUSTICE AT UNCLASSIFIED

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THE HAGUE. IT WILL STATE THE LAW. IT IS A COURT THAT IS DIRECTLY DEPENDENT ON THE UNITED NATIONS. IT WILL STATE THE LAW OF TITLE AND WILL THEN BE ABLE TO ENLIGHTEN THE UNITED NATIONS, ENABLING IT TO RECOMMEND TO MOROCCO AND SPAIN THE COURSE THAT THEY SHOULD FOLLOW."

IN ORDER TO GUIDE THE UNITED NATIONS TOWARDS A FINAL SOLUTION OF THE PROBLEM OF WESTERN SAHARA THAT WOULD ACCORD WITH

BOTH THE PRINCIPLES OF THE CHARTER AND THE SUPREME INTERESTS OF PEACE AND INTERNATIONAL SECURITY, THE GOVERNMENT OF HIS MAJESTY THE KING FORMALLY PRESENTS TO THE SPANISH GOVERNMENT THE PROPOSAL TO SUBMIT THIS QUESTION JOINTLY TO THE ARBITRATION OF THE INTERNATIONAL COURT OF JUSTICE, IN ACCORDANCE WITH THE SPIRIT AND THE LETTER OF CHAPTER VI OF THE UNITED NATIONS CHARTER RELATING TO THE PEACEFUL SETTLEMENT OF DIFFERENCES.

RELYING UPON THE WISDOM OF THE SPANISH GOVERNMENT AND ITS ATTACHMENT TO THE PRESERVATION OF THE FRIENDSHIP BETWEEN OUR TWO COUNTRIES, WHICH HISTORY AND GEOGRAPHY HAVE DESTINED TO CO-OPERATION AND UNDERSTANDING, THE GOVERNMENT OF HIS MAJESTY THE KING REMAINS CONVINCED THAT THE SPANISH GOVERNMENT WILL GIVE A POSITIVE REPLY TO ITS PROPOSAL, IN ORDER TO BE ABLE TO PLACE THE MATTER BEFORE THE INTERNATIONAL COURT OF JUSTICE AS SOON AS POSSIBLE.

(SIGNED) AHMED LARAKI UNQUOTE
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